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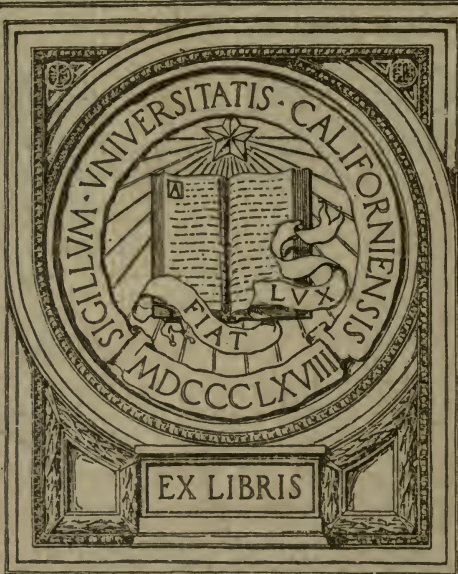


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STATE BOARDS OF EDUCATION

IRA WOODS HOWERTH

Professor of Education and Director of University Extension

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FOREWORD.

By an amendment to the Constitution of the State of California, adopted by the people at the last election, the legislature is to provide for the appointment or election of a State Board of Education, which board is to "provide, compile or cause to be compiled, and adopt a uniform series of text-books for use in the day and evening elementary schools throughout the state," and to perform such other duties as may be prescribed by law. This in effect abolishes the existing State Board of Education and places upon the legislature the responsibility of creating a new one and defining its powers and duties.

The creation of a new state board of education in these days when educational legislation is basing itself more and more upon scientific educational principles is a delicate and a difficult, as well as a most important task, a task which should not be undertaken without a full knowledge of the structure, functions, and degrees of efficiency of the existing state boards of education throughout the country.

It is desirable, therefore, for the benefit of citizens who may be interested in any attempt to modify the educational system of the State, and particularly those upon whom must devolve the responsibility of legislation, to have at hand and easily accessible the main facts pertaining to state boards of education. These facts are scattered through the educational codes and the constitutions of the forty-eight states. Few persons have the time, the necessary documents, or the patience to look them up, even if they should feel a need of so doing.

It seemed, therefore, that a public service might be rendered by assembling these facts and issuing them in the form of a bulletin. The author undertook a similar service for the State of Illinois in 1908. Free use has been made of the data then collected.

STATE BOARDS OF EDUCATION

I. NUMBER.

Since 1784, at which time New York created a state board of regents, "to found schools and colleges in any part of the state," the tendency in American school legislation has been toward consolidation, system, the articulation of educational agencies, and the elimination of educational waste. There has consequently been a gradual, though often socially unconscious, evolution of state educational systems, and the creation of state boards of education as means to the desired ends. Within recent years the tendency has been marked. In 1904 New York enacted legislation providing for educational consolidation to an extent which some regarded as extreme. Since that time twenty-five states have appointed educational commissions to consider the possibilities of improving either some form of educational effort, or the entire state educational system. In each of a dozen or more states the commission was authorized to investigate the educational system of the state with a view to proposing recommendations in regard to its improvement. Of these commissions, every one has proposed the creation of a state board of education, or the reorganization of the state board if one was already in existence. Vermont, Pennsylvania, Iowa and Arkansas have created new boards. Massachusetts, New Jersey, Delaware, Georgia, Oklahoma, Washington, Arizona and New Mexico have reorganized old ones.

Still other states, as for instance, Illinois, are endeavoring to secure a state board of education. Today state boards of education are found in thirty-seven states, that is to say, in all the states except Maine, New Hampshire, Alabama, Illinois, Iowa, Minnesota, North and South Dakota, Nebraska, Wisconsin and Wyoming. Even some of these have educational boards with state functions. The following states make constitutional provision for a state board: California, Colorado, Florida, Louisiana, Oklahoma, North Carolina, New Mexico, New York, Montana, Mississippi, Missouri, Michigan, South Carolina, Texas and Utah. The principle of educational control through a state board of education may be said to be thoroughly established in American education.

II. MEMBERSHIP.

The number of members in the different state boards of education varies from three to eleven. The board of New Jersey formerly had twenty members; as reorganized it contains eight. Massachusetts has recently reduced the membership of its board from ten to nine. The boards of Delaware, Pennsylvania, Oklahoma and Washington, all recently created or reorganized, have seven members. The new boards of Arkansas and Vermont have eight and seven members respectively. The favorite numbers with respect to the members of new and proposed state boards are seven and nine. The existing situation with respect to number of members in each of the state boards of education is as follows:

<i>No. of Members.</i>	<i>States.</i>
3	Colorado, Idaho, Kentucky, Mississippi, Nevada, Oregon, Texas.
4	Michigan, Missouri.
5	Florida, Utah, Vermont.
6	Georgia, West Virginia.
7	Connecticut, Delaware, Kansas, New Mexico, North Carolina, Oklahoma, Pennsylvania, Washington.
8	Arizona, Arkansas, Maryland, New Jersey, Rhode Island, Tennessee, Virginia.
9	Iowa, Massachusetts, South Carolina.
10	Louisiana.
11	California, Indiana, Montana, New York.

Of the thirty-seven state boards of education ten are wholly *ex officio*. Of these, eight consist of state officers alone. Nevada makes the president of its state university a member of its board of three. The boards of California and Delaware, as hitherto constituted, are the only completely *ex officio* boards, consisting almost entirely of school officials.

All the state boards of education, save those of Massachusetts, New Jersey, New York, and Iowa, have one or more members *ex officio*. They usually include the governor or state superintendent, or both. The boards of Arizona, Indiana, Kansas, Utah, Virginia and Washington include one or more professional educators among their *ex officio* members. The tendency, however, as indicated by the reconstruction of the boards of Massachusetts, New Jersey, Georgia, Oklahoma, Vermont and the newly created boards of Pennsylvania, Arkansas and Iowa, is away from the *ex officio* type. New York has gone so far in this direction as to prescribe that "there shall be no *ex officio* members" of the board of that state, and that no member shall be a trustee, president, principal, or any other officer of an educational institution under the supervision of the board.

In the states in which the state board of education contains other than *ex officio* members, the usual method of appointment is by the governor, often with the provision "by and with the advice and consent of the Senate." Appointment by the governor prevails in Arizona, Arkansas, Georgia, Indiana, Kansas, Louisiana, Maryland, Pennsylvania, Iowa, Massachusetts, Montana, New Jersey, New Mexico, Oklahoma, South Carolina, Tennessee, Utah and Washington. In certain states, as, for instance, Arkansas, Oklahoma, Louisiana and West Virginia, the statutory provision is that one member must be appointed from each congressional district. In New York, judicial districts must be represented "as far as may be." Such boards as a rule must be bi-partisan. In Massachusetts, New Jersey and Iowa, all members are appointed by the governor; in Arkansas, Oklahoma and Pennsylvania all but one are so appointed; in Connecticut and Rhode Island *non-ex-officio* members are elected by the general assembly; in Virginia, by the Senate from a list of eligibles, and in West Virginia they are appointed by the state superintendent. In New York all are elected by the legislature. Michigan is the only state which provides for the election of *non-ex-officio* members by popular vote. The prevailing practice, then, with respect to the selection of members of state boards of education, is appointment by the governor.

The appointment of members of a state board of education by the governor is obviously attended with dangers. Various methods have been devised to guard against the possibility of these dangers. As already pointed out, Virginia limits the selection of members by the Senate to a list of eligibles. This list must include members of the faculties of state institutions. Arizona, Indiana, Kansas, New Mexico, Pennsylvania, Washington and West Virginia, by narrowing the list of eligibles to certain school officials, or persons of certain educational qualifications, also, as already said, practically insure for themselves a professional board.

When educational qualifications are prescribed they are usually of a general character, as, for instance, "citizens of prominence actively engaged in the educational work of the state," as in Indiana, Utah and Kansas; or persons of "high character, integrity and capacity," as in Maryland and Utah. Of the more efficient boards consisting largely of appointed or elected members, only Massachusetts, New York and New Jersey prescribe no educational qualifications whatever.

In terms of office of appointed or elected members of the different state boards of education there is wide variation. In Kansas and Washington such members serve for two years; in Indiana, Massachusetts, Rhode Island and Virginia three years; in Connecticut, Georgia, Louisiana, Virginia and Montana four years; in New Mexico and West Virginia five

years; in Maryland, Iowa, Michigan, Tennessee and Pennsylvania six years; in Arkansas seven; in New Jersey eight, and in New York eleven. In West Virginia there is a peculiar situation whereby a board is appointed for a term of five years by a state superintendent whose term of office is only four years. Provision is almost invariably made so that members are not all appointed at one time. Thus continuity of educational policy is secured, and the control of the board by an executive or political party is at least in part prevented. This unity and freedom from external control are apparently the only principles implied in fixing the term of office.

The compensation of members of state boards of education is universally nominal. The actual expenses incurred by members in attendance upon meetings of the board are usually allowed. Sometimes the amount so incurred is limited to a specific sum. In many of the states a *per diem* in addition to necessary expenses is allowed, but in no case, except Oklahoma, in which it is fixed at six dollars, does this amount exceed five dollars. Certain states limit the number of days for which a *per diem*, or expenses, may be drawn. Georgia grants an honorarium of \$250 in addition to traveling expenses. The principle of providing salaries for members of a state board of education receives no recognition in any of the states.

III. POWERS AND DUTIES.

The different powers and duties of state boards of education, as prescribed in the constitutions and legislation of the various states, number some seventy-five or one hundred. Many of them, however, are unimportant. A few boards are limited to the performance of very few functions. In Iowa, for instance, the sole important function of the state board is to control the higher educational institutions of the state; in Texas, merely to invest and apportion school funds, and act as a court of appeals from the decisions of the state superintendent. As a rule, however, the board is vested with such powers and performs such duties as give it high educational dignity and importance. Among the most important powers and duties prescribed in the various states are the following: the supervision of all educational work supported in whole or in part by the state; the management and investment of school funds; the employment of a state superintendent or equivalent officer; the granting and revoking of teachers' certificates; the adoption of courses of study and uniform series of text-books for elementary schools; the standardizing of the secondary schools and colleges of the state; the inspection of school buildings for sanitary purposes, and the furnishing of plans and specifications for school buildings; the medical inspection of school children and the prescribing of tests for their eyesight and hearing; the recommendation of

needed school legislation; the appointment and removal of county superintendents; the encouragement and promotion of new forms of educational effort; the conferring of degrees and diplomas; the control of appropriations for equalizing educational advantages throughout the state, and the supervision of semi-public schools. The tendency, particularly as revealed by recent school legislation, is to increase the powers and duties of the state board. Idaho, for instance, has recently extended the duties of the state board from the mere power of issuing and revoking teachers' certificates to the general supervision of the entire educational work of the state. The most complete educational authority is vested in the boards of Massachusetts, New York and New Jersey.

IV. CONSPECTUS.

Most of the facts already specified with respect to state boards of education may be seen at a glance in the following table showing the particular states that now have a state board of education, the number of members of these boards, the terms of office, composition, and the most important powers and duties prescribed.

STATE BOARDS OF EDUCATION

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Arizona	8	—	Governor, superintendent, principals of normal schools, president university, and a principal of high school, a city superintendent and a county superintendent appointed by governor..	(1) To prescribe and enforce uniform series of text-books in public schools. (2) Same in regard to course of study. (3) To grant six-year and life diplomas and revoke them. (4) To adopt list of books for school libraries.
Arkansas	8	7	Superintendent, and one member from each congressional district appointed by governor..	(1) To manage and invest the common school fund. (2) To charter educational institutions. (3) To have general supervision of the schools of the state, with wide advisory functions.

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
California	11	—	Governor, superintendent, president University of California and its professor of pedagogy, principals normal schools (7)	(1) To prescribe uniform series of text books in common schools and cause them to be printed by state and sold at cost. (2) To adopt rules for government of schools and libraries. (3) To prescribe high school credentials. (4) To grant life diplomas of four grades and revoke them. (5) To designate an educational journal as official. (6) To designate credentials of other states on which certificates may be issued.
Colorado	3	2	Superintendent, secretary of state, attorney general	(1) To grant and revoke certificates. (2) To adopt rules and regulations for government of schools. (The legislature and the board are prohibited by the constitution from prescribing text-books)
Connecticut ..	7	4	Governor, lieutenant governor, secretary board of education, and four appointed by general assembly	(1) To have general supervision and control of educational interests. (2) To direct what books may be used in schools. (3) To secure uniformity of reports. (4) To hold and conduct teachers' meetings. (5) To grant and revoke certificates. (6) To provide for testing eyesight of children. (7) To enforce child labor law. (8) To maintain normal school and model school. (9) To appoint a secretary and fix his salary.
Delaware	7	—	Governor, secretary of state, president Delaware College, state auditor, and senior members of county school commissioners	(1) To prescribe uniform series of text-books. (2) To secure uniform system of reports from teachers and school officers. (3) To determine matters of controversy.

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Florida	5	4	Governor, superintendent, secretary of state, attorney general, and state treasurer	(1) To remove public school officers for cause. (2) To manage and invest school funds. (3) To decide appeals. (4) To direct and control normal schools, Military Institute and Institute for Blind, Deaf and Dumb.
Georgia	6	4	Governor, state superintendent, and four members appointed by governor	(1) To decide appeals. (2) To order school census. (3) To select text-books for common schools.
Idaho	3	2	Superintendent, secretary of state, attorney general	(1) To grant certificates and revoke them. (2) To recommend legislation. (3) To have general supervision of educational work of the state. (4) To present regulations for sanitary equipment and inspection of school buildings. (5) To prepare course of study for public schools. (6) To prescribe rules and regulations for institutes. (7) To prepare examination questions for teachers' certificates. (Duty of county superintendents to carry out the instructions of state board and state superintendent. The state board of education, state superintendent and county superintendents may issue teachers' certificates. The state board has general control of entire system.)
Indiana	11	3	Governor, superintendent, president State University, president Purdue University, president state normal, superintendents three largest cities, and three citizens actively engaged in educational work, one of whom must be county superintendent, appointed by governor..	(1) To grant and revoke certificates. (2) To act as teachers' training board. (3) To act as state library board. (4) To appoint board of visitors to state normal. (5) To prescribe course of study for accredited schools. (6) To select or procure the compilation of a series of text-books to be used in common schools.

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Iowa	9	6	Appointed by governor, not more than five from same political party....	(1) To control higher educational institutions.
Kansas	7	2	Superintendent, chancellor State University, president State Agricultural College, president state normal and three appointed by governor	(1) To grant certificates. (2) To prescribe courses of study for public schools, normal institutes and Indian training schools. (3) To examine and accredit educational institutions upon application.
Kentucky	3	4	Superintendent, attorney general, secretary of state	(1) To prepare rules, by-laws and regulations for government of schools. (2) To prepare suitable lists of books for county libraries. (3) To prescribe regulations for management of libraries. (4) To prescribe and publish graded course of study for public schools.
Louisiana	10	4	Governor, superintendent, attorney general, seven appointed by governor, one from each congressional district	(1) To prepare rules, regulations and by-laws for government of public schools. (2) To enforce uniformity of text-books in public schools.
Maryland	8	6	Governor, superintendent and six appointed by governor, at least two of whom shall be from opposite political parties. Principals of normal schools and of normal departments of any school or college under control of the State Board are honorary members, but with no right to vote.....	(1) To remove or suspend county superintendents. (2) To decide controversies arising over the law. (3) To have general care and supervision of public school interests. (4) To secure uniformity in statistical reports of teachers and county boards. (5) To grant certificates. (6) To act as trustees of state normal schools.

STATE BOARDS OF EDUCATION (*Continued*)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Massachusetts	9	3	Appointed by governor, with approval of council	(1) To secure uniformity of reports. (2) To appoint secretary. (3) To manage state normal schools. (4) To arrange for practice schools. (5) To direct and supervise education of state beneficiaries in special institutions for deaf and blind. (6) To receive applications of teachers and furnish information concerning such applicants to school committees and superintendents. (7) To manage the school fund. (8) To determine the length of institutes and apply not more than \$350 to meet expenses of each. (9) To grant high school certificates and certificates to superintendents of schools. (10) To prescribe rules of instruction, test cards, blanks, etc., for testing sight and hearing of children. (11) To visit county truancy schools. (12) To inspect high schools for the purpose of approving, for state reimbursement of tuition, expenditures for pupils of other towns not having high schools. (13) To provide for the introduction of training in industry, agriculture and the household arts. (14) To have supervision of all educational work supported in whole or in part by the commonwealth.
Michigan	4	6	Superintendent (secretary), three elected by popular vote	(1) To supervise normal schools, and prescribe course of study in same. (2) To grant state certificates. (3) To pass on text-books in physiology.
Mississippi	3	4	Secretary of state, attorney general and superintendent public instruction	(1) To decide appeals from the decision of the county or the state superintendent. (2) To revoke county certificates for cause. (3) To audit claims against the common school fund. (4) To determine necessary contingent expenses of state superintendent's office. (5) To regulate all matters arising in the practical administration of the school system which are not otherwise provided for. (6) To adopt, if thought necessary, a course of study to

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Missouri	4	4	Superintendent (president), governor, secretary of state, attorney general	be pursued in the schools. (7) To designate an arbor day. (8) To require reports from county superintendents. (1) To supervise entire educational interests of state. (2) To see that state school moneys are collected and properly applied, and to report to the legislature. (3) To prescribe requirements for approved summer schools. (4) To prepare outlines of work for county institutes.
Montana	11	4	Governor, superintendent, attorney general and eight appointed by governor	(1) To control and supervise state educational institutions. (2) To grant six-year and life diplomas. (3) To appoint instructors in county institutes. (4) To formulate a state course of study for high schools, and to accredit such high schools as do satisfactory work. (5) To authorize the superintendent to provide rules and regulations for conducting eighth grade examinations. (6) To choose and appoint a president and faculty for state institutions and fix compensation. (7) To have financial management of said institutions. (8) To regulate course and prescribe text-books for state university.
Nevada	3	4	Governor, superintendent, president of university..	(1) To prescribe the course of study in public schools. (2) To recommend list of books for district libraries. (3) To issue and revoke state and county certificates. (4) To act with four appointees of governor as state text-book commission.
New Jersey ..	8	8	Appointed by governor....	(1) To manage state normal schools and state charitable educational institutions. (2) To appoint, and for cause remove, county superintendents of schools. (3) To prescribe rules and regulations for teachers' institutes. (4) To decide appeals from the decision of the state superintendent. (5) To make rules and regulations for the examination of teachers and the grading of certificates. (6) To appoint one member to act with superintendent and principals of normal schools as board of examiners.

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
New Mexico..	7	5	Governor, superintendent, three appointed by governor from heads of state educational institutions, one from county superintendents, and one from persons connected with educational work	(1) To grant, renew and revoke certificates. (2) To adopt series of text-books. (3) To prescribe uniform course of study for public schools. (4) To control teachers' institutes.
New York	11	11	Elected by legislature; as far as may be, one from each judicial district....	(1) To establish such rules and regulations as are necessary to carry into effect the statutes relating to education. (2) To encourage and promote higher education. (3) To visit and inspect educational institutions and departments of the university and to require reports. (4) To distribute to, to expend or to administer for them such property and funds as the state may appropriate therefor, or as the university may own or hold. (5) To establish examinations in the academies of the university, furnishing a suitable standard for graduation from academies and admission to colleges. (6) To confer degrees, diplomas and certificates. (7) To cooperate with other agencies in extending opportunities and facilities for education to adults as well as to youths. (8) To have control of the state library and state museum, and to establish other departments, if deemed necessary, and to maintain lectures connected with higher education.
N. Carolina ..	7	4	Governor, superintendent, lieutenant governor, secretary of state, treasurer, auditor, attorney general.....	(1) To loan money from state literary fund to county boards of education for building and improving school houses. (2) To adopt uniform series of text-books for public schools. (3) To control colored normals. (4) To elect directors of state normal and Indian College and trustees of East Carolina Training School. (6) To sell swamp lands belonging to board. (7) To pass upon

STATE BOARDS OF EDUCATION (*Continued*)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Oklahoma	7	4	Superintendent, and six members appointed by governor with advice and consent of senate..	appeals from county board. (8) To prescribe other studies deemed necessary in public schools. (1) To prepare questions for county and city examinations. (2) To grant certificates to teachers, and to conductors and instructors of normal institutes. (3) To prepare blanks. (4) To classify and accredit schools. (5) To adopt courses of study for common schools and institutes, and textbooks and courses for higher institutions.
Oregon	3	4	Governor, secretary of state, and superintendent	(1) To authorize series of text-books adopted by text-book commission (the latter composed of five appointed by governor). (2) To prepare course of study of grammar grade schools and of certain high schools. (3) To prescribe rules and regulations for general government of schools. (4) To grant state certificates and diplomas on recommendation of state board of examiners (four to nine professional teachers appointed by state board). (5) To indicate source of questions on theory and practice. (6) To act as regents of state university.
Pennsylvania	7	6	Superintendent and six appointed by governor..	(1) To equalize educational advantages. (2) To inspect and require reports from schools and institutions wholly or partly supported by state. (3) To encourage new and desirable forms of education. (4) To prescribe rules and regulations for the sanitary equipment and inspection of school buildings.
Rhode Island	8	3	Governor, lieutenant governor, one from each of four counties and two from Providence county, county members elected by general assembly	(1) To elect commissioner of schools (who acts as secretary). (2) To appropriate money for libraries and to prescribe the character of books for same. (3) To exercise certain control over private schools. (4) To prescribe blanks. (5) To examine teachers and to issue and revoke certificates.

STATE BOARDS OF EDUCATION (*Continued*)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
S. Carolina....	9	4	Governor, superintendent and not more than seven appointed by governor	(1) To adopt rules and regulations for government of free schools. (2) To prescribe and enforce rules for examination of teachers. (3) To prescribe standard of proficiency entitling persons examined by county board to certificates as teachers. (4) To prescribe and enforce the course of study in free public schools. (5) To prescribe and enforce uniform series of text-books in free public schools. (6) To grant and revoke certificates. (7) To award scholarships created by general assembly in state institutions.
Tennessee	8	6	Governor, superintendent and six appointed by governor	(1) To report to general assembly. (2) To manage state normal schools. (3) To locate, adopt course of study and employ teachers and officers of normal schools. (4) To grant diplomas. (5) To prescribe rules and regulations for examination of applicants for county superintendent.
Texas	3	2	Governor, superintendent (secretary <i>ex officio</i>), secretary of state, comptroller	(1) To apportion available school funds among counties, cities and towns. (2) To consider appeals from state superintendent. (3) To care for investment of permanent school funds.
Utah	5	4	Superintendent, president State University, president agricultural college, two appointed by governor	(1) To grant diplomas and certificates. (2) To appoint two of five members to prescribe course of study. (3) To promote the establishment of libraries and gymnasiums. (4) To standardize high schools.
Vermont	5	3	Governor, superintendent, and three appointed by governor	(1) To act as normal school commissioners. (2) To control normal-industrial or industrial schools.

STATE BOARDS OF EDUCATION (Continued)

State.	Number of Members.	Term of Office.	Composition.	Powers and Duties.
Virginia	8	4	Governor, attorney general, superintendent, three elected by senate from list of eligibles, including members of faculties of state institutions, two division superintendents of schools.	(1) To divide state into appropriate school divisions. (2) To prescribe duties of superintendent, and to make rules and regulations for the management and conduct of schools. (3) To provide for the examination of teachers by a state board of examiners, and to accredit schools. (4) To select text-books, furniture and appliances for use in the public schools. (5) To guard against the multiplication of schools. (6) To decide appeals from superintendent of public instruction. (7) To punish, suspend or remove division superintendents of schools. (8) To appoint directors of the state library. (9) To report to general assembly.
Washington ..	7	2	Superintendent, president State University, president State College, normal school principal, and three holding state diplomas appointed by governor	(1) To prepare a course of study for primary, grammar and high schools. (2) To grant state certificates and diplomas. (3) To prepare uniform series of questions to be used by county superintendents in examinations. (4) To accredit schools. (5) To approve courses of higher institutions, and to unify educational system.
W. Virginia..	6	5	Superintendent and five others engaged in educational work appointed by him, one from each congressional district....	(1) To act as state board of examiners. (2) To prescribe a course of study for the public schools. (3) To define the relation of the different kinds of schools.

V. RELATION OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

On January 14, 1813, New York elected the first state superintendent of schools. For exactly a hundred years, then, state supervision of schools by a single educational official has had a place in American school systems. Today every state in the Union has such supervision. The name of the official varies in the different states, but his functions are in general of the same character. In the earlier period of state supervision in almost all of the states, the functions of a state superintendent of schools were performed by some other state officer, usually the secretary of state. Delaware, however, is the only state in which this practice now prevails.

As to the method of selection, state superintendents of schools are, in the majority of states, elected by the people. This practice prevails in thirty-five states. In Maine, Maryland, Minnesota, New Hampshire, New Jersey, Pennsylvania and Tennessee, however, the superintendent is appointed by the governor. In Massachusetts, Connecticut, Rhode Island and New York he is appointed by the state board of education, and in Vermont by the general assembly.

In all *ex officio* state boards of education the superintendent is a member. He is also a member of the board in twenty other states, namely, Arizona, Arkansas, Connecticut, Georgia, Indiana, Kansas, Louisiana, Maryland, Michigan, Montana, New Mexico, Oklahoma, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington and West Virginia. In Arkansas, Kansas, Michigan, Mississippi, Oklahoma, Pennsylvania, Utah, Washington and West Virginia, he is chairman of the board, and in West Virginia he is authorized to appoint the other members. The prevailing tendency in modern thought upon school administration is to favor the appointment of a superintendent by the state board of education, to act as secretary and executive agent of the board. This is the method practiced by Massachusetts since 1837. It is also the method of New York. In New Jersey the relation of the superintendent is similar, although he is appointed by the governor. These states have initiated a practice which in time will probably become general, that is, of selecting a superintendent with respect only to his ability and without regard to his place of residence. Election of a superintendent by the people has many things to commend it, but it is gradually giving way to the principle of selection, almost generally accepted in political science, that expert service may be more certainly secured by appointment than by popular election.

VI. BOARDS OF MASSACHUSETTS, NEW YORK, PENNSYLVANIA AND WASHINGTON.

For the purpose of comparison it may be well to describe somewhat in detail the two oldest state boards of the country and one or two of the newest.

The oldest board is that of New York. In 1904 the Unification Act of New York destroyed the division of power existing prior to that time between the board of regents and the superintendent of public instruction, and provided New York with an educational organization more elaborate than is to be found in any other state.

The University of the State of New York is a corporation created in 1784. It includes all the incorporated higher educational institutions of the state. The state library and the state museum are departments of the university and the board of regents may establish other departments if they are deemed necessary to the discharge of its duties.

The board of regents of the University of the State of New York is thus in reality a state board of education. It is composed of eleven members who are elected by the legislature to serve for a period of eleven years. No officers of any of the incorporated educational institutions of the state are eligible to membership. There are no *ex officio* members, but the commissioner of education acts as its executive officer. This board has power to exclude from membership any institution failing to comply with the law of the state or the rules of the board. It has charge of private academies and in some measure of the public secondary schools as well as of all the higher institutions. All the powers and duties of the board in relation to the supervision of elementary and secondary schools, including all schools, except colleges, technical and professional schools, devolve upon the commissioner of education, who is elected by the board to serve during good behavior. The board of New York has power to establish such rules and regulations as are necessary to carry into effect the statutes of the state relating to education. It coöperates with other agencies in bringing within the reach of the people of the state, young and old, the largest educational opportunities by stimulating interest, recommending methods, designating suitable teachers and lecturers, and by lending books and apparatus. It establishes in the academies of the university examinations in studies, furnishes a suitable standard for graduation from academies and of admission to colleges, and grants certificates and diplomas to those who pass such examinations. It controls the whole matter of granting honorary degrees and diplomas. The board has power to incorporate any university, college, academy, library, museum, or other institution for the promotion of science, literature, art, history or other departments of knowledge.

The New York plan has been criticised as illustrating too great centralization of authority. It is perhaps too early to determine whether it is superior to the other types of board. There can be no doubt, however, about the general tendency being strongly toward greater centralization. "Not only are its advantages quite apparent," says President Butler of Columbia University, "but the overwhelming current of legislation and of the decisions of the courts is making it imperative. These are practically in accord, and are to the effect that in each state the school system is not local, but general; not individual schools controlled by separate communities, but a closely related system of schools which has become a state system and is entirely under state authority. Local school officials are now uniformly held to be agents of the state for the administration of a state system of education."

The Massachusetts board of education originated in 1837. Horace Mann was its first secretary. It consisted of ten members—the governor, lieutenant governor, and eight members appointed by the governor. The number of members and the method of appointment remained the same until 1909. Attempts were made soon after its establishment to abolish the board, but its effectiveness is now generally admitted. "It has always stood for safety, at least, if not for brilliant initiative. Still further it has no doubt provided, all things considered, a better state educational administration than the people would have directly provided for themselves, voting at the popular election. The board has also proved a very competent authority to manage, with the help of its secretary, the state normal schools."¹ A former secretary of the board declares that "the board has been almost the sole instrumentality in securing helpful legislation and in protecting the schools from hostile enactments. It has also had a powerful uplifting and broadening influence." Its reports have carried information to the people of Massachusetts and have often been republished by the legislatures of other states, by the British parliament, and by the German government.

In 1905 Massachusetts appointed a commission on industrial and technical education. It was authorized to investigate "the needs for education in the different grades of skill and responsibility in the various industries of the commonwealth," and also to ascertain "how far the needs are met by existing institutions," and to "consider what new forms of educational effort may be advisable." This commission in its report recommended the creation of a commission on industrial education, and such a commission was appointed in 1906. In 1909 this commission was consoli-

¹ Hinsdale: Horace Mann and the Common School Revival in the United States, page 108.

dated with the state board of education. This new board consists of nine members appointed by the governor and confirmed by the council.

As constituted in 1837, the board had duties but no particular powers. It was to prepare an abstract of the school returns and to make an annual report to the legislature concerning the conditions and the efficiency of the common school system, and to suggest means of improving it. Its powers and duties have been gradually enlarged until today it is authorized to supervise all the school work of the state supported in whole or in part by the commonwealth, and to appoint a commissioner of education, to fix his salary, and to appoint two deputy commissioners at equal salaries, one of whom shall be especially qualified to deal with industrial education.² Other powers and duties of this board are specified on page 12.

One of the newest boards of education is that of Pennsylvania. The new code adopted in that state provides for a state board of education consisting of the superintendent and six members appointed by the governor. The term of office is to be six years. Three of the appointive members must be successful educators of high standing, connected with the school system of the commonwealth. All members serve without compensation other than the payment of necessary expenses incurred in the performance of their duties as members of the board. The superintendent of public instruction is *ex officio* a member of the board and its president. Among the powers and duties of the board are the following: to recommend needed school legislation; to equalize, through special appropriations for that purpose, or otherwise, the educational advantages of the different parts of the commonwealth; to inspect schools and institutions wholly or partly supported by the state which are not supervised by other public authorities, and require reports from them; to encourage and promote agricultural education, manual training, domestic science and such other vocational and practical education as the needs of the commonwealth may require; to prescribe rules and regulations for the sanitary equipment and inspection of school buildings, and to take such other action as it may deem necessary and expedient to promote the physical and moral welfare of the children in the public schools; and to appoint such officers as it deems necessary and to define their duties.³ Of this board the United States Commissioner of Education says, it "appears to be an innovation of importance, but the provisions relating to it are such that it has little independent power. Its functions are not greatly differentiated from those of the superintendent of public instruction, and it is apparently expected that the latter official will be the ruling force in the board, of which he is president."⁴ As a rule, however, boards when first created

² Reports U. S. Commissioner of Education, 1908, Vol. 1, page 44; 1909, Vol. 1, page 12.

³ School Laws and Decisions of Pennsylvania, 1911, pages 49-50.

⁴ Reports, 1911, Vol. 1, pages 68-69.

are not endowed with great powers. Their powers grow. Connecticut has long had a state board of education, but according to the report of the Connecticut educational commission it is not yet armed with sufficient authority to carry out its legitimate purposes. "The board often finds itself confronted by unwillingness to accept advice, resentment of counsel, determined opposition to anything like control. The statutes whose operation would tend, and do tend, to an amelioration of evil are mostly permissive." These statutes in the opinion of the commission should be changed "so that they should compel rather than permit. In short, the commission is distinctly of the opinion that the state board should be armed with a lawful authority to supervise and control the educational interests of the state."⁵

Washington is one of the states which has recently reorganized its State board of education. The facts concerning it are perhaps sufficiently set forth in the table (see page 17).

VII. ADVANTAGES OF A STATE BOARD.

The advantages of a properly constituted state board of education are perhaps sufficiently obvious, and yet in almost every attempt to reorganize a state educational system some opposition to the principle of control of educational affairs by a state board has been manifested. In view of this, it may be well to set forth briefly some of these advantages. In the first place, a state board is usually regarded as necessary to secure the systematic organization of the state educational forces. Such a board has proved to be an effective means of developing and sustaining public sentiment in favor of the highest and best things in education. It represents public recognition of the importance and dignity of the educational work of a state. It may hold aloft high ideals with respect to schools, prevent the over-lapping of the work of the different educational institutions, be instrumental in formulating needed school legislation and in securing its passage. It should protect schools from ill-advised, needless or hostile legislation. In short, through a properly constituted and efficient state board of education, orderly and intelligent educational advancement may be secured, and the educational system may be enabled to adjust itself more or less automatically to the changing educational needs and conditions of a growing state.

⁵ Report of the Connecticut Special Educational Commission, 1909, page 7.

VIII. INFERENCES.

It is unsafe to draw anything but general inferences from the present constitution and powers of state boards of education with respect to the creation of a new board for California. Educational conditions here are not exactly the same as in the other states. Moreover, the existing boards are not ideal. They are not what they ought to be, but what they may be; that is, they are the results of compromise.

In general, however, and without regard to the particular needs of this state, the following inferences with respect to the creation of a state board of education may be drawn from existing practice and modern thought upon educational administration. First, a state board of education properly constituted is a valuable educational agency, and should be an integral part of a state educational system. Second, it should consist of not less than five nor more than nine members. These members should not be *ex officio*. They should be appointed by the governor with the advice and consent of the senate, and should be citizens of recognized ability and public spirit. The board should be non-partisan. The term of office should be in general longer than that of the appointing officer. Third, among the powers and duties that should be assigned to such board are the following: to have general supervision of the public schools of the state; to elect a secretary who shall be its executive officer, and to appoint such other officers as it may deem necessary to the effective supervision of the schools of the state; to classify and standardize the public schools; to provide rules for the apportionment of school funds, and for the distribution of any fund that may be set aside to assist and encourage schools; to provide rules and regulations for the granting of teachers' certificates; to provide plans and specifications for school buildings; to provide for the sanitary inspection of school buildings and for the examination of pupils to detect contagious and infectious diseases and physical defects, and to take such other action as may seem necessary to promote the physical welfare of school children; to prescribe, or recommend, minimum courses of study for public schools; to encourage, and provide for, new forms of educational effort, and in general to take such action as may be necessary to promote the organization and increase the efficiency of the educational system of the state. With such or similar powers and duties a properly constituted board of education should be of the highest value with respect to educational administration and educational development.

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